

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA

CASE NO.: 1:24-cv-00779-JPH-MG

MAX MINDS, LLC,

Plaintiff,

v.

TRIANGLE EXPERIENCE GROUP, INC.,  
ROBERT EDWARD CLARE, JEFFREY  
MASE, KEVIN G MULLICAN and JOHN  
DOES 1-10,

Defendants.

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**UNOPPOSED MOTION FOR THREE ADDITIONAL PAGES OVER THE PAGE LIMIT  
FOR MAX'S REPLY BRIEF TO TEG'S FORTY PAGE OPPOSITION TO THE  
AMENDED MOTION FOR PRELIMINARY INJUNCTION**

Plaintiff MAX MINDS, LLC (“Max”) by and through its undersigned counsel, hereby moves this Honorable Court for leave to file three more pages than previously granted for an oversized brief of 25 pages total in response to Defendant, Triangle Experience Group, Inc.’s (“TEG’s) Response in Opposition to Max’s Amended Motion for Preliminary Injunction, and as grounds therefore states as follows:

1. On November 25, 2024, Max filed its Amended Motion for Preliminary Injunction and Memorandum of Law in support thereof. (Docket No. 104).
2. Thereafter, on January 31, 2025, Defendant Triangle Experience Group, Inc. (“TEG”) filed its Response in Opposition to Max’s Amended Motion for Preliminary Injunction (“TEG’s Opposition”). (Docket No. 125).<sup>1</sup>

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<sup>1</sup> TEG similarly requested an additionally 10 pages to respond to Plaintiff’s Amended Motion for Preliminary Injunction (Docket No. 122) which was granted (Docket No. 123).

3. On February 6, 2025, Plaintiff filed an unopposed motion for an additional 7 pages to respond to TEG's opposition (Docket No. 133) which was granted (Docket No. 138).

4. Plaintiff has determined that it requires an additional three pages for its reply. Plaintiff did not foresee it would need more than seven extra pages but for the reasons below plaintiff needs an additional three pages for a total of ten pages in its Reply brief. Plaintiff apologizes for burdening the court again with this issue.

5. Under Southern District of Indiana Local Rule 7-1(e)(1) and (2), the Court may allow a reply brief to exceed the 15-page limit for "extraordinary and compelling reasons."

6. Extraordinary and compelling reasons exist here, considering the number of claims and defenses at issue in the motion, the need for plaintiff to respond to the substantial amount of evidence TEG submitted in support of TEG's Opposition, and the defendants' arguments concerning that evidence. In addition, this Court's recent indication at a status conference that Plaintiff should respond and not separately move to strike certain of the arguments made by TEG has added to the length of Max's reply. TEG's Opposition spans 40 pages, responds to five separate claims made by Plaintiff and adds three affirmative defenses to which Plaintiff must respond. (*See* Docket No. 125). In addition, TEG's Opposition is supported by 1700 pages of evidence through five declarations and 40 exhibits. (*See* Docket No. 124).

7. As this Court knows, the three affirmative defenses raised in TEG's opposition and TEG's witness' Lieutenant Commander Nusraty were not previously disclosed to Plaintiff in the party's discovery surrounding this motion. Plaintiff takes issue with the inclusion of this evidence in Defendant's Opposition. The Court informed Plaintiff during a status conference on February 11, 2025, that Plaintiff must raise this issue in its reply brief pursuant to local rule

Local Rule 56-1(i). (Docket No. 138). Plaintiff did not foresee the need to raise these issues in its reply brief when it originally asked for an additional seven pages.

8. Additionally, Defendants throughout the opposition and in the declarations filed in support of their opposition discuss TEG's evidence in ways that require a response but Plaintiff cannot adequately do so under the current page limit restrictions.

9. Plaintiff is making every effort to keep the argument in its reply brief concise, however an additional three pages is necessary to adequately respond to Defendant's Opposition. Plaintiff will not ask for more than an additional 3 pages, for a total of 25 pages.

10. Defendant, Triangle Experience Group, Inc., agreed with plaintiff's request in an email on February 19, 2025 and TEG does not oppose the relief sought herein.

WHEREFORE, Plaintiff MAX MINDS, LLC prays this Honorable Court for leave to file an oversized brief of 25 pages in reply to TEG's Opposition, and for such other and further relief as to this Court deems just and proper in the premises.

Dated: February 19, 2025

Respectfully submitted,

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